

Notice of Allowability

Application No.

09/823,154

Examiner

Dwin M. Craig

Applicant(s)

JACOBSON, NEIL G.

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/7/2005.
2. ☒ The allowed claim(s) is/are 1-4, 6-16, 18-25 and 27-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 7-7-05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

And

EXAMINER'S REASONS FOR ALLOWANCE

1. Claims 1-4, 6-16, 18-25 and 27-35 are allowed.
2. Claims 5, 17 and 26 are cancelled.
3. The following is an examiner's statement of reasons for allowance:
 - 3.1 As regards independent claim 1, the following limitations, in combination with other limitations are neither anticipated nor made obvious by the prior art, "*a diagnostic device*" in combination with "*an access controller*" in combination with "*a diagnostic control module*" and a "*a reconfiguration control module*", all combined for the purpose of diagnosing and testing and then reconfiguring a programmable logic device over a network as expressly claimed by the Applicant.
 - 3.2 As regards independent claim 13, the following limitations, in combination with other limitations are neither anticipated nor made obvious by the prior art, "*a network communication interface*" in combination with "*a diagnostic control module*" in combination with "*a reconfiguration controller in communication with the programmable logic device*" all combined for the purpose of diagnosing, testing and reconfiguring a programmable logic device over a network as expressly claimed by the Applicant.
 - 3.3 As regards independent claim 23 the following limitations, in combination with other limitations are neither anticipated nor made obvious by the prior art, "*communicating over a communications network to a remote electronic system that includes an embedded diagnostic/reconfiguration controller*" in combination with, "*transmitting diagnostic commands*

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to the remote system that cause the diagnostic/reconfiguration controller to perform diagnostic tests on the programmable logic device” and in further combination with, “analyzing the output signals to determine if errors exist in a functionality of the programmable logic device” and then, “transmitting reconfiguration commands to the remote electronic system...to reconfigure the programmable logic device”.

3.4 As regards independent claim 29 the following limitations, in combination with other limitations are neither anticipated nor made obvious by the prior art, *“the microcontroller including a first interface adapted for communication via a network external to the device, and a second interface coupled to at least one PLD and adapted for boundary scan input and output to and from the PLD”* in combination with, *“responsive to reconfiguration control received via the network, configuration data received via the network in the second memory and reconfigure the PLD with the configuration data received via the network”.*

3.5 As regards independent claim 32 the following limitations, in combination with other limitations are neither anticipated nor made obvious by the prior art, *“executing a first software module in response to receipt of the diagnostic commands and in executing the first module applying input signals to at least one PLD embedded in the device and transmitting output signals from at least one PLD via the network ”* in combination with *“reconfiguring the PLD with configuration data received via the network”.*

3.6 As regards dependent claims 2-4, 6-12, 14-16, 18-22, 24, 25, 27, 28, 30, 31 and 33-35, they are allowed as they depend from allowed base claims.

3.7 Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dwin M. Craig whose telephone number is (571) 272-3710. The examiner can normally be reached on 10:00 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (571) 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DMC


Paul L. Rodriguez 9/30/05
Primary Examiner
Art Unit 2125